

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 18-34 and 36-43 are currently pending. Claims 18, 24, and 30 have been amended by the present amendment. No new matter has been added.

In the outstanding Office Action, Claims 18-22, 24-27, 30-34, 42, and 43 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2006/0164685 to Kobayashi (hereinafter “the ‘685 application”); Claims 23 and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘685 application in view of U.S. Patent No. 5,918,988 to H.A.M. Van Oijen (hereinafter “the ‘988 patent”); and Claims 36-41 were objected to as being dependent upon a rejected base claim, but were indicated as allowable if rewritten in independent form.<sup>1</sup>

Applicants respectfully submit that the rejection of the claims under 35 U.S.C. § 102 and § 103 should be withdrawn because the ‘685 application is not a *prima facie* prior art reference against claims in the present application. The ‘685 application was filed on September 12, 2003. The present application was filed on September 29, 2003, but is a continuation application of Application No. 09/220,345 (now U.S. Patent No. 6,633,398), filed December 24, 1998. Thus, as the Office has acknowledged Applicants’ claim to domestic priority under 35 U.S.C. § 120, Applicants respectfully submit that the priority date of the present application is prior to the filing date of the ‘685 application. Accordingly, Applicants respectfully submit that the ‘685 application fails to qualify as a *prima facie* prior art reference. Accordingly, Applicants respectfully submit that all of the rejections of the claims should be withdrawn.

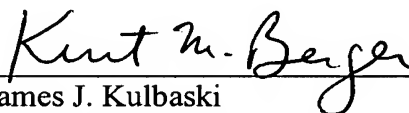
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<sup>1</sup> Applicants note that Claim 28 does not appear to have been addressed by the outstanding Office Action.

Thus, it is respectfully submitted that Claims 18, 24, and 30 (and all associated dependent claims) are in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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